

Message Text

SECRET

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ACTION EA-14

INFO OCT-01 EUR-25 NEA-10 ISO-00 IO-14 CIAE-00 DODE-00

PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01

PRS-01 SP-03 SS-20 USIA-15 AID-20 OMB-01 SSO-00

NSCE-00 DRC-01 /160 W

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R 091140Z APR 74

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 3521

INFO AMEMBASSY BUDAPEST

AMEMBASSY JAKARTA

AMEMBASSY TEHRAN

AMEMBASSY WARSAW

USDE JEC PARIS

S E C R E T SAIGON 4576

EO 11652: GDS

TAGS: MARR, VS

SUBJECT: ICCS INVESTIGATIONS

1. AMB IDRIS OF INDONESIAN ICCS DELEGATION AT LUCHEON WITH EMBOFFS APRIL 9 REPORTED ICCS PLENARY APRIL 8 HAD AGREED TO PROCEED WITH CAI LAY INVESTIGATION AND REMANDED IT TO ICCS MILITARY COMMITTEE. IDRIS ALSO REPORTED ICCS HAD AGREED TO RECOMMENCE INVESTIGATIONS BEGINNING CHRONOLOGICALLY FROM OCTOBER 1, 1973, EXCEPT FOR PRIORITY INVESTIGATIONS SUCH AS CAI LAY WHEN AGREED TO. INDONESIANS COMPROMISED BY WITHDRAWING FORMAL OBJECTION TO OCTOBER AS STARTING DATE, BUT CONTINUE TO WARN THAT ATTEMPTS TO CONDUCT INVESTIGATIONS INTO INCIDENTS SO FAR IN PAST WILL TURN OUT TO BE FRUITLESS IN VIEW OF DISAPPEARANCE OF EVIDENCE.

2. DESPITE AGREEMENT TO RECOMMENCE INVESTIGATIONS, INDONESIANS BELIEVE COMPROMISE ON CONDITIONS ISSUE MADE TO COMMUNISTS, TO EFFECT ICCS WILL REQUEST TWO-PARTY SAFETY GUARANTEES AND QTE PRG

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UNQTE LIAISON OFFICER, WILL CONTINUE TO RESULT IN PREVENTION QIQLMCX

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INVESTIGATIONS FROM BEING CARRIED OUT. THEREFORE INDONESIANS AND IRANIANS MUST CONTINUE TO HAVE RECOURSE TO THEIR ONE-MEMBER OR TWO-MEMBER QTE OBSERVATION UNQTE REPORTS. HOWEVER, INDONESIANS REALIZE THAT COMMUNISTS WILL CONTINUE TO INSIST THAT, DESPITE FACT QTE OBSERVATIONS UNQTE BY ICCS ARE PROVIDED FOR IN ARTICLE 1(A) OF ICCS PROTOCOL, ANY REPORTS ON INCIDENTS BY ICCS MEMBERS ARE ILLEGAL BECAUSE OF UNANIMITY PROVISION UNLESS MADE FOLLOWING A FORMAL ICCS INVESTIGATION. UNDER CIRCUMSTANCES, IDRIS STATED HE WOULD BE GLAD TO RECEIVE ANY ASSISTANCE IN LEGAL ARGUMENTATION EMBASSY CAN FURNISH IN ORDER REFUTE COMMUNIST CONTENTION. EMBOFFS SUGGESTED, AS A STARTER, INTERNATIONAL LEGAL PRINCIPLE THAT QTE RESTRICTIONS CAN NOT BE PRESUMED, UNQTE I.E., FACT THAT PROTOCOL DOES NOT SPECIFICALLY AUTHORIZE SUCH NON-UNANIMOUS OBSERVATION REPORTS DOES NOT MAKE THEM ILLEGAL. IDRIS STATED INDONESIANS MOVING TOWARDS DECISION TO DECLASSIFY THEIR OBSERVATION REPORTS, IDEA WHICH EMBOFFS APPLAUDED.

3. PURPOSE OF LUNCHEON MEETING WAS OSTENSIBLY TO PROVIDE IDRIS WITH BRIEFING HE HAD REQUESTED ON QTE THIRD FORCE, UNQTE OR LACK OF IT, IN SOUTH VIETNAMESE POLITICS. EMBOFF PROVIDED HIM WITH BRIEFING PAPERS (CC POUCHED EMBASSY JAKARTA) AND LENGTHY ORAL ARGUMENTATION.

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Message Attributes

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